

MINUTES FOR
MONTGOMERY TOWNSHIP COMMITTEE MEETING
June 5, 2014

1. Montgomery Township Committee met at the Municipal Building, 2261 Van Horne Road, Belle Mead, NJ at 7:00 p.m. on the above date. Those present were:

TOWNSHIP COMMITTEE: Mayor Smith, Committeemembers Trzaska, Graham and Madrid
Deputy Mayor Sugden

Also present were:

TOWNSHIP ATTORNEY - Kristina P. Hadinger, Esq.

TOWNSHIP ADMINISTRATOR - Donato Nieman

CHIEF FINANCIAL OFFICER - Walter Sheppard

TOWNSHIP CLERK - Donna Kukla

2. Mayor Smith stated the following: "Under the provisions of the Open Public Meetings Act, notice of the time and place of this meeting has been posted and sent to the officially designated newspapers."

3. Mayor Smith led the Salute to the Flag.

4. **PUBLIC COMMENT**

- 4-1. Walt Beadling, Thornton Way, thanked Township Clerk Donna Kukla for organizing the Shred Day for the Township. He stated that it was a great help to him, as he was able to get rid of many pounds of paper from his home.

Mr. Beadling expressed some of his concerns related to the school board and the school district. He stated that he always feels like he gets a fair hearing at the Township Committee meetings whereas he does not feel that way when he attends the School Board meetings. He spoke about the school ranking and the budget. He stated that one of the things the Township has to think about is how it can make sure that the school district is one of the top districts in the State. He expressed his concerns about how the Board of Education conducts business. He asked what the relationship is between the Governing Body and the school board. He suggested that the Governing Body appoint a liaison to the Board of Education. Mayor Smith stated that he didn't know that there was a formal relationship between the Governing Body and the Board of Education, but Deputy Mayor Sugden was appointed as the liaison to the Board of Education. Administrator Nieman stated that staff to staff the relationship between the schools and the Township has been relatively strong over a period of years. He explained that there had recently been a discussion with the Business Administrator and the Superintendent regarding full-day kindergarten.

Mr. Beadling spoke about the Township's having a strategic plan. He stated his concerns about Mayor Smith's previous comment that people will always come to Montgomery. One of these concerns was that as the property owners increasingly bear a higher portion of the burden of paying for government, whether for the municipality or for the school, taxes go up. As taxes go up, the amount people can afford to pay for a mortgage goes down. Therefore, the higher the taxes go, the harder it is for people to move to Montgomery.

5. **APPOINTMENT OF TEMPORARY PURCHASING AGENT - Donato Nieman**

BE IT RESOLVED By the Montgomery Township Committee that Township Administrator Donato Nieman is hereby appointed Temporary Purchasing Agent.

- 5-1. Committeeman Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Graham and carried on the following:

ROLL CALL - Ayes - Madrid, Graham, Trzaska, Smith
Nays - None
Absent - Sugden

6. **RESOLUTION #14-6-123 - RESOLUTION CONFIRMING MAXIMUM BID THRESHOLD**

WHEREAS, By Resolution #10-7-160 adopted on July 1, 2010, the Township Committee increased its bid threshold to \$36,000, the maximum permitted by law; and

WHEREAS, At the time of increasing said bid threshold and since that time, the Township has had persons who were Qualified Purchasing Agents serving in the capacity as Purchasing Agent on behalf of the Township; and

WHEREAS, The person appointed to serve as Qualified Purchasing Agent is no longer serving in that capacity or performing those duties, and the Township has appointed Administrator Donato Nieman to serve as Temporary Purchasing Agent, as permitted by N.J.S.A. 40A:11-9g. and N.J.A.C. 5:34-5.5(a); and

WHEREAS, Pursuant to N.J.A.C. 5:35-5.5(a)2., during the term of appointment of said Temporary Purchasing Agent, the Township's bid threshold may remain at the maximum amount allowed of \$36,000.00 as long as the Township Committee has passed a resolution authorizing such amount.

(Item #6 Cont.)

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that the Township's bid threshold, which has previously been established at the maximum permitted by law of \$36,000, shall remain at said maximum amount during the term of Mr. Nieman's appointment as Temporary Purchasing Agent, as authorized by law.

6-1. Committeewoman Madrid moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Trzaska and carried on the following:

ROLL CALL - Ayes - Madrid, Graham, Trzaska, Smith
Nays - None
Absent - Sugden

7. **CONSENT AGENDA** - All matters listed hereunder are considered to be routine in nature and will be enacted in one motion. Any Township Committeeperson may request that an item be removed for separate consideration.

A. **APPOINTMENT OF PERMANENT POLICE OFFICERS** - John D. Colucci, Timothy W. Dubovick and Joseph P. Ceccato

BE IT RESOLVED that upon successful completion of his probationary period, John D. Colucci is hereby appointed permanent Police Officer, effective June 10, 2014.

BE IT RESOLVED that upon successful completion of his probationary period, Timothy W. Dubovick is hereby appointed permanent Police Officer, effective June 10, 2014.

BE IT RESOLVED that upon successful completion of his probationary period, Joseph P. Ceccato is hereby appointed permanent Police Officer, effective June 10, 2014.

B. **RESOLUTION #14-6-124 - AUTHORIZING SERGEANT PROMOTIONAL PROCESS**

BE IT RESOLVED That the Montgomery Township Committee approves a promotional process to select a candidate or candidates for the position of Sergeant of Police for the Montgomery Township Police Department.

C. **RESOLUTION #14-6-125 - REFUND OVERPAID 2014 TAXES**

BE IT RESOLVED That a refund in the amount of \$2,936.88 be given to Sharbell Plainsboro, Inc., 1 Washington Blvd., Suite 9, Robbinsville, NJ 08691 for the overpayment of 2014 taxes on Block 28003 Lot 217. Overpayments due to Block and Lots becoming inactive as per 2014 MODIV.

D. **RESOLUTION #14-6-126 - APPROVAL OF OUTDOOR ASSEMBLY - Carrier Clinic**

BE IT RESOLVED By the Montgomery Township Committee as follows:

1. Carrier Clinic has requested approval of the Township Committee to conduct an Outdoor Assembly for the Carrier Clinic Walk of Hope at 252 Route 601, Belle Mead, NJ 08502 on September 20, 2014.
2. The Township Committee has considered the application and hereby grants the same subject to the following conditions:
 - (a) This approval is for the period specified and is not to be considered approval to conduct similar events without Committee approval.
 - (b) This event shall be held subject to the provisions of the Montgomery Township Code, Outdoor Assembly, Chapter 4-2.1.
3. The organizers will obtain the required approval from the Police Department regarding parking facilities, traffic plan and safety considerations.
4. The organizers will obtain the required health certificates from the Township Health Department, if applicable.
5. The organizers will obtain the required construction permits and Fire Prevention inspections from the Township Code/Construction and Fire Prevention Departments, if applicable.

E. **RESOLUTION #14-6-127 - PURSUANT TO N.J.S.A. 40A:4-87 (Chapter 159, P.L. 1948) - Drunk Driving Enforcement Grant**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special items of revenue in the budget of any County or Municipality when such item shall have been made by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, Said Director may also approve the insertion of any item of appropriation for an equal amount.

(CONSENT AGENDA Item D Cont.)

NOW, THEREFORE, BE IT RESOLVED That the Township Committee of the Township of Montgomery hereby requests the director of the Division of Local Government Services to approve the insertion of items of revenue in the budget of the year 2014, in the amounts listed below, which item is now available as a revenue form the Division of Highway Traffic Safety, State of New Jersey:

Drunk Driving Enforcement Grant \$4,057.61

BE IT FURTHER RESOLVED That a like sum, be, and the same, hereby is appropriated under the above appropriation titles.

BE IT FURTHER RESOLVED That two copies of this document with handwritten ink signature of the Clerk on certification be forwarded to the Division of Local Government Services.

F. **RESOLUTION #14-6-128 - PURSUANT TO N.J.S.A. 40A:4-87** (Chapter 159, P.L. 1948) -
Distracted Driver Grant

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special items of revenue in the budget of any County or Municipality when such item shall have been made by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, Said Director may also approve the insertion of any item of appropriation for an equal amount.

NOW, THEREFORE, BE IT RESOLVED That the Township Committee of the Township of Montgomery hereby requests the director of the Division of Local Government Services to approve the insertion of items of revenue in the budget of the year 2014, in the amounts listed below, which item is now available as revenue from the New Jersey Department of Law and Public Safety - Division of Highway Traffic Safety:

Distracted Driver Grant \$5,000.00

BE IT FURTHER RESOLVED That a like sum, be, and the same, hereby is appropriated under the above appropriation titles.

BE IT FURTHER RESOLVED That two copies of this document with handwritten ink signature of the Clerk on certification be forwarded to the Division of Local Government Services.

G. **RESOLUTION #14-6-129 - PURSUANT TO N.J.S.A. 40A:4-87** (Chapter 159, P.L. 1948) -
Clean Communities Program

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special items of revenue in the budget of any County or Municipality when such item shall have been made by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, Said Director may also approve the insertion of any item of appropriation for an equal amount.

NOW, THEREFORE, BE IT RESOLVED That the Township Committee of the Township of Montgomery hereby requests the director of the Division of Local Government Services to approve the insertion of items of revenue in the budget of the year 2014, in the amounts listed below, which items is now available as a revenue from the State of New Jersey:

Clean Communities Program \$48,818.86

BE IT FURTHER RESOLVED That a like sum, be, and the same, hereby is appropriated under the above appropriation titles.

BE IT FURTHER RESOLVED That two copies of this document with handwritten ink signature of the Clerk on the certification and shall be forwarded to the Division of Local Government Services.

H. **RESOLUTION #14-6-130 - PURSUANT TO N.J.S.A. 40A:4-87** (Chapter 159, P.L. 1948) -
Green Avenue Improvements

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special items of revenue in the budget of any County or Municipality when such item shall have been made by law and the amount thereof was not determined at the time of the adoption of the budget; and

WHEREAS, Said Director may also approve the insertion of any item of appropriation for an equal amount.

NOW, THEREFORE, BE IT RESOLVED That the Township Committee of the Township of Montgomery hereby requests the director of the Division of Local Government Services to approve the insertion of items of revenue in the budget of the year 2014, in the amounts listed below, which items is now available as a revenue from the Department of Transportation, State of New Jersey:

Green Avenue Improvements \$175,000.00

(CONSENT AGENDA Item H Cont.)

BE IT FURTHER RESOLVED That a like sum, be, and the same, hereby is appropriated under the above appropriation titles.

BE IT FURTHER RESOLVED That two copies of this document with handwritten ink signature of the Clerk on the certification and shall be forwarded to the Division of Local Government Services.

I. **RESOLUTION #14-6-131 - AUTHORIZING THE PURCHASE OF REPLACEMENT VEHICLES FOR THE POLICE DEPARTMENT FROM SOMERSET COUNTY IMPROVEMENT AUTHORITY**

WHEREAS, There exists a need to for the replacement of three vehicles for the Police Department of the Township of Montgomery; and

WHEREAS, Said replacement vehicles are available through a contract of the State of New Jersey Purchase Bureau; and

WHEREAS, Said funds are available through the Somerset County Improvement Authority; and

WHEREAS, The Chief Financial Officer has certified the availability of said funds.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that the Purchasing Agent is hereby authorized and directed to purchase three (3) 2014 Ford Police Interceptor Utility All-Wheel Drives from Winner Ford in Cherry Hill, NJ per State Contract 82925, for an amount not to exceed \$89,357.25.

J. **RESOLUTION #14-6-132 - AUTHORIZING THE EQUIPPING OF REPLACEMENT VEHICLES AND THE TRANSFER OF PRE-EXISTING EQUIPMENT FOR THE POLICE DEPARTMENT FROM SOMERSET COUNTY IMPROVEMENT AUTHORITY**

WHEREAS, There exists a need to update the police fleet with 3 new vehicles and related equipment and to transfer existing equipment from old to new police vehicles for the Police Department of the Township of Montgomery; and

WHEREAS, Said equipment for the replacement vehicles and cost of labor for the transfer of the pre-existing equipment is available through a contract of the State of New Jersey Purchase Bureau; and

WHEREAS, Said funds are available through the Somerset County Improvement Authority; and

WHEREAS, The Chief Financial Officer has certified the availability of said funds.

NOW, THEREFORE, BE IT RESOLVED That the Montgomery Township Committee hereby authorizes the Purchasing Agent to approve the equipping of three (3) 2014 Ford Police Interceptor Utility All-Wheel Drive vehicles by Emergency Accessories and Installation, Inc. of Cherry Hill, NJ per State Contracts #81334, #81335, #81336, and #81327 for an amount not to exceed \$24,809.28.

BE IT FURTHER RESOLVED That the Township Committee authorizes the Purchasing Agent to approve the transfer of pre-existing equipment to three (3) 2014 Ford Police Interceptor Utility All-Wheel Drive vehicles by Winner Ford of Cherry Hill, NJ per State Contract #81165 for an amount not to exceed \$2,964.00.

K. **RESOLUTION #14-6-133 - AUTHORIZING THE APPLICATION OF MONTGOMERY TOWNSHIP GRAPHICS ONTO THREE REPLACEMENT VEHICLES FOR THE POLICE DEPARTMENT OF THE TOWNSHIP OF MONTGOMERY**

WHEREAS, There exists a need to apply Montgomery Township graphics packages onto three replacement vehicles for the Police Department of the Township of Montgomery; and

WHEREAS, Said funds are available through the Somerset County Improvement Authority; and

WHEREAS, The Chief Financial Officer has certified the availability of said funds.

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery that the Purchasing Agent is hereby authorized and directed to allow the application of the graphics of Montgomery Township on three (3) 2014 Ford Police Interceptor Utility All-Wheel Drives by Lew Pinella Sign Co. of Somerset, NJ, for an amount not to exceed \$2,400.00.

L. **RESOLUTION #14-6-134 - RELEASE OF PERFORMANCE GUARANTEE - JER/Herring Office Building Lot**

WHEREAS, Gail Smith, Township Engineer, has certified on June 3, 2014 that all public improvements in a project known as JER/Herring Office Building Lot have been completed in accordance with the approved plans and the Code of the Township of Montgomery and therefore recommends that the Performance Guarantee be released.

NOW, THEREFORE, BE IT RESOLVED By the Montgomery Township Committee that a performance guarantee in the amount of \$107,763.60 (LOC #18120304-00-000 in the amount of \$96,987.24 and \$10,776.36 cash) be released to JER/Herring Orchard, LLC. and a maintenance guarantee be posted as follows:

Original Construction Cost Estimate	\$107,763.60
15% Maintenance Guarantee	\$ 16,164.54

(CONSENT AGENDA Item L Cont.)

BE IT FURTHER RESOLVED That the effective date of acceptance of the improvements shall be the date the Township Attorney confirms in writing that the maintenance guarantee is in the proper amount and acceptable legal format.

BE IT FURTHER RESOLVED That the release of the Performance Guarantee shall also be conditioned upon the posting of adequate escrow funds.

BE IT FURTHER RESOLVED That the developer must post a \$5,000.00 Performance Bond for the construction of the sidewalk along Route 206.

There are no roads or detention basins to be accepted with this project.

- 7-1. Committeewoman Graham moved the adoption of the **CONSENT AGENDA**. The motion was seconded by Committeewoman Madrid and carried on the following:

ROLL CALL - Ayes - Madrid, Graham, Trzaska, Smith
Nays - None
Absent - Sugden

8. **RESOLUTION #14-6-135 - AUTHORIZING TEMPORARY EMERGENCY APPROPRIATIONS**

WHEREAS, N.J.S.A. 40A:4-20 provides for the approval of emergency temporary appropriations prior to the Municipal Budget being adopted by a confirming vote of two-thirds of the full governing body; and

WHEREAS, Due to a lack of a super majority on May 15, 2014, there is a need to approve retroactively the temporary budget in order to accurately reflect the municipal budget as adopted on May 15, 2014.

NOW, THEREFORE, BE IT RESOLVED, By confirmation of two-thirds of the full governing body, that the Chief Finance Officer is authorized to increase the temporary emergency appropriations as follows:

Current Fund

PERS

Other Expenses \$48,311.13

PFRS

Other Expenses (\$48,311.13)

- 8-1. Committeeman Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Graham and carried on the following:

ROLL CALL - Ayes - Madrid, Graham, Trzaska, Smith
Nays - None
Absent - Sugden

9. **RESOLUTION #14-6-136 - RESOLUTION RESCINDING CONTRACT AWARD FOR COLLECTION AND DISPOSAL OF SOLID WASTE FROM VARIOUS MONTGOMERY TOWNSHIP FACILITIES**

WHEREAS, By Resolution No. 14-5-118 adopted on May 15, 2014, the Township Committee awarded a contract to Republic Services of New Jersey, LLC ("Republic") for the collection and disposal of solid waste from various Montgomery Township facilities for the amount of \$93,570 for a three-year term; and

WHEREAS, Subsequent to the award, the Township discovered that there was an inconsistency regarding the responsibility for the payment of the disposal costs in connection with the dumpsters from the Public Works Facility between the Township's written specifications for the current contract and the Township's previous practices and industry standards; and

WHEREAS, As a result, Republic submitted a formal request to the Township for authorization to withdraw its May 7, 2014 bid; and

WHEREAS, It is in the Township's interest to: allow Republic to withdraw its bid; rescind the May 15, 2014 contract award to Republic; and substantially revise the specifications to clarify the Township's and successful contractor's respective obligations in connection with the costs for disposal of solid waste from the Public Works Facility.

(Item #9 Cont.)

NOW THEREFORE BE IT RESOLVED By the Township Committee of the Township of Montgomery as follows:

1. The factual recitals contained in the foregoing WHEREAS clauses are hereby incorporated herein as if fully restated.
2. The Township's May 15, 2014 award to Republic by Resolution No. 14-5-118 for the collection and disposal of solid waste from various Township Facilities for \$93,570 is hereby rescinded.
3. Republic's request to withdraw its May 7, 2014 bid is hereby granted.
4. The Township staff and Attorney's office are hereby authorized and directed to revise the specifications for the collection and disposal of solid waste from various Montgomery Township facilities consistent with this Resolution, and thereafter to re-advertise and re-bid the project.
5. A copy of this Resolution shall be placed on file in the Office of the Township Clerk, and shall be available for public inspection.

9-1. Committeewoman Madrid moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Trzaska and carried on the following:

ROLL CALL - Ayes - Madrid, Graham, Trzaska, Smith
Nays - None
Absent - Sugden

10. **ORDINANCE #14-1465** - Traffic Regulations on Private Property - Tapestry at Montgomery - Public Hearing (Postponed from May 15, 2014)

A. Mayor Smith read the title of the ordinance as follows:

AN ORDINANCE AMENDING SCHEDULE XXI, TRAFFIC REGULATIONS ON PRIVATE PROPERTY, OF CHAPTER VII, TRAFFIC, OF THE CODE OF THE TOWNSHIP OF MONTGOMERY (1984) TO ADD THE PRIVATE PROPERTY OF THE TAPESTRY AT MONTGOMERY DEVELOPMENT.

B. Attorney Hadinger commented that there was an ordinance with the same title as the next item. She explained that this was carried from the May 15 meeting because the Township Engineer detected an error that was of a sufficiently substantive nature so the ordinance needed to be redone.

C. Mayor Smith opened the hearing to the public. There being no comment, Committeeman Trzaska moved that the public hearing be closed. The motion was seconded by Committeewoman Madrid and carried unanimously.

C. BE IT RESOLVED By the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby adopted this 5th day of June, 2014 and that notice thereof be published in an official newspaper as required by law.

10-1. The ordinance died due to lack of a motion.

11. **ORDINANCE #14-1469** - Traffic Regulations on Private Property - Tapestry at Montgomery - Introduction

A. Mayor Smith read the title of the ordinance as follows:

AN ORDINANCE AMENDING SCHEDULE XXI, TRAFFIC REGULATIONS ON PRIVATE PROPERTY, OF CHAPTER VII, TRAFFIC, OF THE CODE OF THE TOWNSHIP OF MONTGOMERY (1984) TO ADD THE PRIVATE PROPERTY OF THE TAPESTRY AT MONTGOMERY DEVELOPMENT.

B. BE IT RESOLVED By the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby passed on first reading and that the same be published in an official newspaper as required by law together with a Notice of Pending Ordinance fixing June 19, 2014 at approximately 7:00 p.m. as the date and time when said ordinance will be further considered for final adoption.

11-1. Committeeman Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Madrid and carried on the following:

ROLL CALL - Ayes - Madrid, Graham, Trzaska, Smith
Nays - None
Absent - Sugden

12. **ORDINANCE #14-1466** - EMS Vehicle Lease Amendment - Public Hearing

A. Mayor Smith read the title of the ordinance as follows:

AN ORDINANCE OF THE TOWNSHIP OF MONTGOMERY IN SOMERSET COUNTY, NEW JERSEY AMENDING AN AGREEMENT ENTITLED "LEASE MONTGOMERY EMERGENCY MEDICAL SERVICES, INC. 2014 FORD EXPLORER"

B. Mayor Smith opened the hearing to the public. There being no comment, Committeewoman Graham moved that the public hearing be closed. The motion was seconded by Committeewoman Madrid and carried unanimously.

(Item #12 Cont.)

- C. BE IT RESOLVED By the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby adopted this 5th day of June, 2014 and that notice thereof be published in an official newspaper as required by law.

12-1. Committeeman Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Madrid and carried on the following:

ROLL CALL - Ayes - Madrid, Graham, Trzaska, Smith
Nays - None
Absent - Sugden

13. **ORDINANCE #14-1467 - Construction Code Fee Amendment - Introduction**

- A. Mayor Smith read the title of the ordinance as follows:

AN ORDINANCE AMENDING SUBSECTIONS 8-1.3a.5 - 8-1.3a.15 OF
THE CODE OF THE TOWNSHIP OF MONTGOMERY (1984) REGARDING FEES
FOR CONSTRUCTION PERMITS

- B. BE IT RESOLVED By the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby passed on first reading and that the same be published in an official newspaper as required by law together with a Notice of Pending Ordinance fixing June 19, 2014 at approximately 7:00 p.m. as the date and time when said ordinance will be further considered for final adoption.

13-1. Committeewoman Madrid moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Trzaska and carried on the following:

ROLL CALL - Ayes - Madrid, Graham, Trzaska, Smith
Nays - None
Absent - Sugden

14. **ORDINANCE #14-1468 - Acceptance of Property for Stormwater Management Purposes (Hidden Estates II - Section 1 Subdivision) - Introduction**

- A. Mayor Smith read the title of the ordinance as follows:

AN ORDINANCE OF THE TOWNSHIP OF MONTGOMERY, IN SOMERSET
COUNTY NEW JERSEY ACCEPTING PROPERTY KNOWN AS BLOCK 15004,
LOT 15 (HIDDEN ESTATES II - SECTION 1 SUBDIVISION) FOR
STORMWATER MANAGEMENT PURPOSES.

- B. BE IT RESOLVED By the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby passed on first reading and that the same be published in an official newspaper as required by law together with a Notice of Pending Ordinance fixing June 19, 2014 at approximately 7:00 p.m. as the date and time when said ordinance will be further considered for final adoption.

14-1. Committeeman Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Graham and carried on the following:

ROLL CALL - Ayes - Madrid, Graham, Trzaska, Smith
Nays - None
Absent - Sugden

15. **ORDINANCE #14-1470 - Acquisition of Equipment-Sewer Capital 2014 - Introduction**

- A. Mayor Smith read the title of the ordinance as follows:

AN ORDINANCE AUTHORIZING AS A GENERAL IMPROVEMENT THE
ACQUISITION OF CERTAIN EQUIPMENT BY THE TOWNSHIP OF
MONTGOMERY SEWER UTILITY AND APPROPRIATING \$382,500
THEREFOR FROM THE "SEWER CAPITAL IMPROVEMENT FUND" OF SAID
TOWNSHIP.

- B. BE IT RESOLVED By the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby passed on first reading and that the same be published in an official newspaper as required by law together with a Notice of Pending Ordinance fixing June 19, 2014 at approximately 7:00 p.m. as the date and time when said ordinance will be further considered for final adoption.

15-1. Committeewoman Madrid moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Graham and carried on the following:

ROLL CALL - Ayes - Madrid, Graham, Trzaska, Smith
Nays - None
Absent - Sugden

16. ORDINANCE #14-1471 - Acquisition of Equipment-Capital Improvement Fund 2014 - Introduction

A. Mayor Smith read the title of the ordinance as follows:

AN ORDINANCE AUTHORIZING AS A GENERAL IMPROVEMENT THE ACQUISITION OF CERTAIN EQUIPMENT BY THE TOWNSHIP OF MONTGOMERY AND APPROPRIATING \$65,700.00 THEREFOR FROM THE "CAPITAL IMPROVEMENT FUND" OF SAID TOWNSHIP.

B. BE IT RESOLVED By the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby passed on first reading and that the same be published in an official newspaper as required by law together with a Notice of Pending Ordinance fixing June 19, 2014 at approximately 7:00 p.m. as the date and time when said ordinance will be further considered for final adoption.

16-1. Committeeman Trzaska moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Madrid and carried on the following:

ROLL CALL - Ayes - Madrid, Graham, Trzaska, Smith
Nays - None
Absent - Sugden

17. ORDINANCE #14-1472 - BOND - Providing for Various Capital Improvements - Introduction

A. Mayor Smith read the title of the ordinance as follows:

AN ORDINANCE OF THE TOWNSHIP OF MONTGOMERY, IN THE COUNTY OF SOMERSET, NEW JERSEY, PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND RELATED EXPENSES IN AND FOR THE TOWNSHIP OF MONTGOMERY AND APPROPRIATING \$2,135,500 THEREFOR AND PROVIDING FOR THE ISSUANCE OF \$2,028,725 IN BONDS OR NOTES OF THE TOWNSHIP OF MONTGOMERY TO FINANCE THE SAME.

B. BE IT RESOLVED By the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby passed on first reading and that the same be published in an official newspaper as required by law together with a Notice of Pending Ordinance fixing June 19, 2014 at approximately 7:00 p.m. as the date and time when said ordinance will be further considered for final adoption.

17-1. Committeewoman Madrid moved the adoption of the foregoing resolution. The motion was seconded by Committeeman Trzaska and carried on the following:

ROLL CALL - Ayes - Madrid, Graham, Trzaska, Smith
Nays - None
Absent - Sugden

18. ORDINANCE #14-1473 - BOND - Providing for Various Sewer Utility Improvements - Introduction

A. Mayor Smith read the title of the ordinance as follows:

AN ORDINANCE OF THE TOWNSHIP OF MONTGOMERY, IN THE COUNTY OF SOMERSET, NEW JERSEY, PROVIDING FOR VARIOUS SEWER UTILITY IMPROVEMENTS AND OTHER RELATED EXPENSES IN AND FOR THE TOWNSHIP OF MONTGOMERY AND APPROPRIATING \$150,000 THEREFOR, AND PROVIDING FOR THE ISSUANCE OF \$150,000 IN BONDS OR NOTES OF THE TOWNSHIP OF MONTGOMERY TO FINANCE THE SAME.

B. BE IT RESOLVED By the Township Committee of the Township of Montgomery that the foregoing ordinance be hereby passed on first reading and that the same be published in an official newspaper as required by law together with a Notice of Pending Ordinance fixing June 19, 2014 at approximately 7:00 p.m. as the date and time when said ordinance will be further considered for final adoption.

18-1. Committeewoman Graham moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Madrid and carried on the following:

ROLL CALL - Ayes - Madrid, Graham, Trzaska, Smith
Nays - None
Absent - Sugden

19. APPROVAL OF MINUTES - May 15, 2014

The minutes of May 15, 2014 were approved as printed.

20. PAYMENT OF BILLS

WHEREAS, The Township Committee of the Township of Montgomery has received bills to be paid as listed; and

WHEREAS, The Chief Finance Officer and the Township Administrator have reviewed these bills and have certified that these bills represent goods and/or services received by the Township, that these are authorized and budgeted expenditures and that sufficient funds are available to pay these bills;

(Item #20 Cont.)

NOW, THEREFORE, BE IT RESOLVED By the Township Committee of the Township of Montgomery as follows:

1. That these bills are hereby authorized for payment; and
2. That checks in the proper amounts are prepared and that necessary bookkeeping entries are made; and
3. That the proper Township Officials are authorized to sign the checks.

20-1. Committeewoman Graham moved the adoption of the foregoing resolution. The motion was seconded by Committeewoman Madrid and carried on the following:

ROLL CALL - Ayes - Madrid, Graham, Trzaska, Smith
Nays - None
Absent - Sugden

21. **SUMMER MEETING SCHEDULE**

Administrator Nieman stated that the first July meeting is scheduled for July 3, right before the holiday, and asked if the Governing Body wanted to meet that night. It was the consensus of the Township Committee to meet on July 3. The next two meetings would be July 17 and August 7. The August 21 meeting was cancelled.

22. **UPDATE OF COUNTRY CLUB MEADOWS LITIGATION**

Mayor Smith read the following into the minutes:

"Regarding the Country Club Meadows litigation, I am pleased to announce that we are working now on completing a proposed agreement that will settle and end the on-going litigation between the Township and Country Club Meadows. As you are aware, that litigation involves various sewer matters, zoning issues and challenges to the Township's Affordable Housing Plan. In addition to resolving the litigation, the proposed settlement will also provide the Township with an opportunity to consider a new Zoning plan for the northern portion of the Township, providing needed services and uses in this area while simultaneously resulting in significantly less intensive development than currently permitted under the existing zoning. I anticipate a full presentation of the settlement and conceptual development plan at our next meeting on June 19."

ADJOURNMENT was at 7:40 p.m. on a motion by Committeewoman Graham. The motion was seconded by Committeeman Trzaska and carried unanimously.

Date of Approval:

Donna Kukla, Township Clerk